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Francis B. Loomis, former Acting-Secretary of State; President H. P. Judson of Chicago University; President Benjamin Ide Wheeler of the University of California; Dean Gregory of the Iowa State University Law School; Hon. Jackson H. Ralston, agent of the United States in the Pious Fund Arbitration; Hon. Henry B. F. Macfarland, former chairman of the District of Columbia Governing Commission.

Among the members of the Conference not on the program were Hon. Andrew D. White, ex-Ambassador to Germany; Hon. David J. Foster, chairman of the House Committee on Foreign Affairs; and many prominent educators, publicists, pacifists and lawyers from different parts of the country. All the peace organizations in the East and some others were well represented among the membership of the Conference.

Prominent men from other countries also added interest and weight to the exercises, and gave a decidedly international cast to the meeting. Those who took part in the program were the Mexican Ambassador, Justice William R. Riddell of the High Court of Justice of Ontario, the Minister of The Netherlands, Francis W. Hirst, editor of the London *Economist*, and the French Ambassador. In addition to these there were in attendance at some of the sessions a number of representatives from the different foreign legations. Among these was the Chilean Minister, who attended the banquet on Saturday night, and was, to the great regret of all, stricken with heart trouble a few hours later and died suddenly.

It is impossible to give any just estimate of the amount of influence which the Conference will have upon the general public and upon our own and other governments; but it will certainly be large. Though the composition of the gathering and the nature of the exercises were not such as to appeal strongly to the masses of the people, yet they were unusually fitted to awaken and fix the attention of men of the legal profession everywhere, and of legislators and government officials both national and state. In this direction the Conference ought to prove one of the most effective that has ever been held.

The establishment of a permanent international high court of justice, with judges always in service and acting under a sense of judicial responsibility, may take more time than the founders of the society which held this Conference imagine. But it is sure to be done in time, and the day we believe is comparatively near whether the present efforts of our Department of State succeed immediately or not. Such a high court of the nations has been the ideal of the peace workers and societies from the very beginning, and they have been steadily for nearly a hundred years laying in general public opinion the foundations of the judicial tribunal of the world. The fruit of their labors is now rapidly appearing. Such a conference as that of which we are writing could not have been successfully held a few years ago. The fact that it has been held, with such conspicuous success, in the capital of the nation, and with the cooperation and hearty support of the national authorities themselves, is an unmistakable sign of the rapid culmination of the movement which is substituting goodwill and law for hate and force in the relations of the nations.

Is Arbitration a Failure?

At the Washington Conference held December 15 to 17, by the Society for the Judicial Settlement of International Disputes, there was a disposition on the part of some of the speakers to underestimate the value of arbitration as a method of adjusting controversies between nations. Ex-President Eliot of Harvard went so far as to characterize arbitration as a failure. This depreciation was, of course, intended to make the demand for an international court of arbitral justice seem the stronger. But the comparison was, it seems to us, a most unfortunate one.

Everybody concedes that a regular court of justice is, in the abstract, superior to arbitration. But this does not necessarily involve depreciation of the latter nor the conclusion that its mission is already ended.

Those who are familiar with the history of international arbitration during the past century, and even right up to the current year, know that it has not only not been a failure, but that it has been a conspicuous and continuous success. More than two hundred and fifty important controversies have been disposed of by this means, and in every one of them the award has been loyally accepted. In only a few cases has there been serious criticism of the decision of the arbitrators, relatively much less criticism, in fact, than is continually heard of the decisions of the ordinary courts of justice. Ideal justice has, of course, not always been secured by arbitration, but probably all the justice that was possible in the circumstances has been secured. Furthermore, something even more valuable, if possible, than simple justice has been secured by these arbitrations: the nations have been brought nearer together by them, and induced to respect and trust one another better; in a word, to bear that attitude toward one another without which real justice can never prevail.

The success of arbitration has continued in an even greater degree since the setting up of the International Arbitration Court at The Hague. It would be very difficult for any regular court of justice, however perfectly constituted, to get nearer to the roots of justice than did the arbitration court which sat upon the Newfoundland fisheries case the past summer.

It is said in derogation of arbitration that it often results only in compromise. But that may well have

been in the past one of its greatest merits, and may be so still. Nearly all international controversies are clearly two-sided. A method which allows the spirit of give and take is, under certain conditions of prejudice and distrust, much more likely to succeed — it is certainly much more likely to be used — than a hard and fast system which aims only at strict justice, and not at all to bring the parties into more friendly relations with each other. From this very fact arbitration has been a much better way of disposing of disputes in the past than a strict court of justice could possibly have been. Indeed, no international court of justice has been possible till now, if indeed the time is yet fully ripe for it.

The mission of arbitration is not yet by any means ended. If a regular international court of justice were set up at the present time the governments would almost certainly, in many instances, resort to the arbitration tribunal at The Hague rather than to the court of justice. When the latter is inaugurated, as all pacifists hope will be the case in the near future, the two tribunals will probably operate side by side for several decades before the more perfect one finally supplants the other.

That method of settling international differences is best for the time which works the best and does most to bring the nations into that attitude of mutual respect, trust and fellowship out of which will spring that close federation among them which must lie back of any permanently successful system of judicial settlement of controversies.

The whole international peace movement is leading straight, and we all hope rapidly, toward a permanent high court of justice, but we shall not in any way hasten its coming by undervaluing and speaking slightingly of that system of arbitration which has been so remarkably successful in the past, and of whose evolution the court of justice itself is to be the final term.

The Nobel Peace Prize.

On the tenth of last month, the anniversary of the birth of the founder, the Nobel Peace Prize was awarded to the International Peace Bureau at Berne.

This is the tenth year that this great prize has been conferred. It has been awarded to those in different countries who have contributed in some conspicuous way to the cause of international goodwill and peace. It has gone to France, Great Britain, the United States, Italy, Austria, Switzerland, Belgium, Denmark and Sweden. Twice it has been awarded to societies, the first time to the Institute of International Law, and this time to the Peace Bureau.

The International Peace Bureau was founded in 1891, at the time of the third International Peace Congress held at Rome in November of that year. It was chiefly through the influence of the late Hodgson Pratt of London, founder of the International Arbitration and Peace Association, that the Bureau was established. The purpose of its creation was that it might serve as a bond of union among the various peace organizations, as the agent for the execution of the conclusions of the peace congresses, and for the preparation of the programs of these congresses; in a word, to act as a general clearing house for the peace movement. The Bureau publishes a semi-monthly bulletin, under the name of the *Correspondance bi-mensuelle.*

Though the Bureau has been much hampered for lack of funds, it has done excellent service, and has grown from year to year in the estimation of the peace workers. It was for many years under the able and wise direction of Mr. Elie Ducommun, secretary of the Jura-Simplon Railway system, and is now under that of Dr. A. Gobat, of the Swiss National Parliament, who succeeded Mr. Ducommun in the secretaryship. The first president of the Bureau was Hon. Fredrik Bajer, leader of the peace forces of Denmark, recipient of the Nobel Prize in 1908. The present president is Senator La Fontaine of Brussels, one of the foremost pacifists of Europe.

The Bureau is incorporated under the laws of Switzerland, and is controlled by a commission, or standing committee, of some thirty-five persons, from different countries, chosen at the annual meeting. Among the members of the commission are four from this country: Prof. Samuel T. Dutton of Columbia University, Mrs. B. A. Lockwood of Washington, Edwin D. Mead and Benjamin F. Trueblood of Boston.

The peace workers in different countries are very glad that this central organization has been thus honored. With the Nobel fund of nearly $40,000 at its command, in addition to the subsidies that are annually voted to it by four or five parliaments and the contributions of a number of individuals, the Bureau will be able to do much greater and more effective service than it has ever yet been able to accomplish.

Editorial Notes.

The President's Message.

In his message sent to Congress on the 6th of December, President Taft spoke most hopefully of our foreign relations. These relations have continued upon a basis of friendship and good understanding. The year has been notable as witnessing the settlement of two important controversies by the Hague Court, the fisheries dispute between the United States and Great Britain and the Orinoco Steamship Company controversy between this country and Venezuela. As to the transformation of the Prize